

PACER CASE MANAGEMENT/ELECTRONIC CASE FILING NOTICE

ACCESS TO THE ELECTRONIC CASE FILING SYSTEM:

All open cases in this Court are docketed on the Court's Electronic Case Filing System (the "System") at www.nysb.uscourts.gov. To access, view and/or retrieve information or documents over the Internet from the System, the user must obtain a login and password from the PACER Billing Center (Public Access to Court Electronic Records) at 1.800.676.6856. Further information is available on the PACER web site: <http://pacer.psc.uscourts.gov>. Users who currently have logins and passwords from PACER are not required to obtain new ones. Adobe Acrobat Reader is needed to view documents, and is available for free from their web site: www.adobe.com.

FEES TO BE CHARGED:

The Judicial Conference of the United States has prescribed a \$.07 per page fee, commencing July 1, 2001, to access, view and/or retrieve information and documents from the System. There are four exceptions:

1. The user will not be billed or required to pay a fee if his or her total fees do not exceed \$10.00 per year. **Once the \$10.00 ceiling is reached, however, the user will be billed the entire cost for accessing, viewing and/or retrieving information or documents, including the first \$10.00.**
2. The user may access and view information or documents without charge at computer terminals located at the Court and made available for that purpose. **The Judicial Conference of the United States has, however, prescribed a fee of \$.10 per page for copies of documents obtained from the Court, and the user must pay this fee in the event he or she copies any information or documents.**
3. If the user has set up automatic e-mail notification regarding documents filed in a case, the user will have one opportunity to view, retrieve or download the document, without charge, by accessing the document directly from the e-mail notification hyperlink. **This opportunity expires 30 days after the document was filed electronically and the notification was sent.**
4. A user who has obtained an order of the Court exempting him or her from payment of the fee will not be charged to access, view and/or retrieve information or documents from the System.

FILING DOCUMENTS ON THE SYSTEM:

The filing of documents electronically is governed by the Court's General Order # 242, filed January 24, 2001, which is available free of charge through the Court's web site. To file a document electronically, an attorney must have a login and password from the Court. An attorney who already has one may use it to file a document. There is no additional charge to file electronically. Notwithstanding the foregoing, neither an attorney nor anyone else can access, view and/or retrieve information or documents from the System without a PACER login and password unless that person does so at a computer terminal located at the Court.

In order to file documents, the following equipment is necessary:

1. A personal computer running any standard windows platform
2. An Internet provider
3. Netscape Navigator 4.0 or higher software (version 6.0 is not compatible with the court's Electronic Case Filing System.)
4. Adobe Acrobat PDF Writer Exchange software to convert documents from a word processor format to a portable document format (PDF). This is available to attorneys at a discount.

ALTERNATIVES TO FILING ELECTRONICALLY:

Until such time as an attorney's offices is equipped with the above, documents must be submitted on a diskette. Documents, other than orders, should be submitted in PDF. A separate diskette must be used for each filing. Submit the diskette in an envelope with the case name, number, type and title of document on the outside of the envelope or on the diskette itself. If the attorney does not have the capability to convert a document to PDF, he or she should submit the document on a diskette using one of the following formats: Word, WordPerfect or DOS text (ASCII).

If an attorney does not have the ability to comply with the above, the document should be submitted unstapled, unbound and on single-sided paper together with an affidavit attesting to his or her inability to comply, and stating a date when such compliance is expected.

COURT ASSISTANCE AVAILABLE:

The Court provides technical and procedural assistance between the hours of 8:30 a.m. to 5:00 p.m., Monday through Friday, at 212.668.2870 extension 3522. To schedule training for the Court's Electronic Case Filing System, call 212.668.2870 extension 3580.

Court information, other than case information, is provided free of charge on the Court's home page at www.nysb.uscourts.gov.